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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,249	01/08/2004	Kevin P. Klubek	86973RLO	6740

7590 06/07/2007
Pamela R. Crocker
Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, NY 14650-2201

EXAMINER

GARRETT, DAWN L

ART UNIT	PAPER NUMBER
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1774

MAIL DATE	DELIVERY MODE
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06/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/753,249

Applicant(s)

KLUBEK ET AL.

Examiner

Dawn Garrett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 15-17 and 31-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 18-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office action is responsive to the amendment filed March 20, 2007. Claims 1, 2, and 18 were amended. Claims 1-33 are present in the application. Applicant previously elected the oxinoid compound Alq₃ as the second host and the anthracene compound shown in the claims 14 and 30 as the first host component. Claims 15-17 and 31-33 are withdrawn. Claims 1-14 and 18-30 are presently under consideration.
2. The amendment to the specification filed March 20, 2007 is acknowledged.
3. The rejection of claims 1-10, 13, 14, 18-26, 29, and 30 under 35 U.S.C. 103(a) as being unpatentable over Mori et al. (US 5,281,489) in view of Matsuura et al. (US 2005/0064233 A1) is withdrawn due to the amendment and applicant's arguments.
4. The rejection of claims 10-12 and 26-28 under 35 U.S.C. 103(a) as being unpatentable over Mori et al. (US 5,281,489) in view of Matsuura et al. (US 2005/0064233 A1) in further view of Chen et al. (US 2004/0247937 A1) is withdrawn.

Claim Rejections - 35 USC § 103

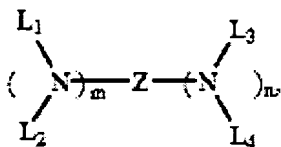
5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9, 13, 14, 18-25, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh et al. (US 2003/0118866 A1). Oh et al. discloses organic electroluminescent devices comprising a light emitting layer having at least two host materials

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and a guest material disposed between two electrodes (see abstract). One of the hosts may comprise the following compound (see par. 29)



wherein m or n may be zero (m+n is 1 to 8; see par. 30). Z is A1 wherein A1 can be a substituted aromatic hydrocarbon group (see par. 31-32). This teaching includes a compound according to the formula shown in present claims 14 and 30. Oh et al. further teaches a preferred host material is a quinoline derivative (see par. 36 and par. 80) with respect to applicant's elected second host material and present claims 5, 6, 21 and 22. Oh et al. fails to exemplify a device comprising the *specific* compound of applicant's elected first host compound with the second host compound. It would have been obvious to one of ordinary skill in the art at the time of the invention to have selected the host materials of the instant claims for the light emitting layer of a device, because Oh et al. generally teaches all of the required compounds for the light emitting layer. Because the same compounds are taught as disclosed by applicant, the bandgap properties set forth in the claims are consider to be inherent.

With respect to claims 3, 4, 7, 8, 19, 20, 23 and 24, Oh et al. teaches the light emitting layer comprises 0.01-30 wt % of guest material, 0.05-99.9wt% of the first host and 0.05-99.9wt% of the second host (see par. 59).

With respect to claims 9, 13, 25 and 29, Oh et al. discloses coumarin derivatives as guest material (see par. 47).

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7. Claims 10-12 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh et al. (US 2003/0118866 A1) in view of Chen et al. (US 2004/0247937 A1). Oh et al. is relied upon as set forth above. Oh et al. teaches guest materials such as coumarin derivatives are suitable (see par. 47), but fails to specifically mention quinacridone compounds as guest material or *specific* coumarin derivatives such as C545T. Chen et al. teaches, in analogous art, luminescent dyes for the luminescent layer of an OLED including specific coumarin derivative "C545T" and quinacridone derivatives (see par. 79). It would have been obvious to one of ordinary skill in the art at the time of the invention to have selected either a quinacridone dye (QA) or C545T as the guest material of the Oh et al. device, because Oh et al. teaches a fluorescent material such as coumarin derivatives is desirable as the guest material of the light emitting layer of the device.

Response to Arguments

8. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dawn Garrett whose telephone number is (571) 272-1523. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dawn Garrett
Primary Examiner
Art Unit 1774

June 4, 2007